

05-10-02

3713

PTO/SB/21 (08-00)

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TRANSMITTAL FORM

(to be used for correspondence after initial filing)

Application Number	10/001,751
Filing Date	October 31, 2001
First Named Inventor	Paul H. Stypulkowski
Group Art Unit	3713
Examiner Name	Unassigned
Attorney Docket Number	011738.00025

Total Number of Pages in This Submission

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): Return Receipt Postcard Form PTO/SB/08A <i>20</i> References
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	William J. Klein Reg 43,719
Signature	<i>[Signature]</i>
Date	May 9, 2002

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PATENT

THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Attorney Docket No. 11738.00025)

#2

In the Application of Paul H. Stypulkowski)
Application No. 10/001,751)
Filed: October 31, 2001)
For: System and method of treating)
stuttering by neuromodulation)

Examiner: Unassigned

Group Art Unit: 371

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INFORMATION DISCLOSURE STATEMENT

Asst. Commissioner of Patents
Washington, DC 20231

Pursuant to 37 CFR §§1.97 and 1.98, please make the following references of record in the above-identified application. This Information Disclosure Statement is in compliance with the continuing duty of candor as set forth in 37 CFR §1.56. Copies of the references cited below are enclosed. The references are also listed on the enclosed and completed PTO Form PTO/SB/08A.

This Information Disclosure Statement is filed under 37 C.F.R. § 1.97(b) within three months of this application's filing date or before the mailing date of a first Office Action on the merits. Accordingly, there is no fee due for filing this Information Disclosure Statement.

Under 37 CFR §1.97(g), the filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made.

Under 37 CFR §1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the cited references are, or are considered to be, material to patentability as defined in 37 CFR §1.56(b).

REFERENCES**U.S. Patents:**

1	US-3,566,858	03-02-1977	Larson
2	US- 4,020,567	05-03-1977	Webster
3	US- 4,662,847	05-05-1987	Blum
4	US- 4,692,147	09-08-1987	Duggan
5	US- 4,784,115	11-15-1988	Webster
6	US- 5,113,859	05-19-1992	Funke
7	US- 5,259,387	11-09-1993	dePinto
8	US- 5,478,304	12-26-1995	Webster
9	US- 5,794,203	08-11-1998	Kehoe
10	US- 5,940,798	08-17-1999	Houde
11	US- 5,961,443	10-05-1999	Rastatter et al.
12	US- 6,231,500	05-15-2001	Kehoe

Foreign Patent:

1	WO 99/40572	08-12-1999	Scientific Learning Corp.
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Other Prior Art:

1	KAZUO, ABE, et al., Repetitive Speech Disorder Resulting from Infarcts in the Paramedian Thalamic and Midbrain, Journal of Neurology, Neurosurgery and Psychiatry, 1993, 56: 1024-1026.
2	ORLANDO J. ANDY, et al., Stuttering Acquired from Subcortical Pathologies and its Alleviation from Thalamic Perturbation, Brain and Language, 1992, 42: 385-401, Academic Press, Inc.
3	SUBHASH C. BHATNAGAR, et al., The Effect of Thalamic Stimulation in Processing of Verbal Stimuli in Dichotic Listening Tasks: A Case Study, Brain and Language, 1989, 36: 236-251, Academic Press, Inc.
4	SUBHASH C. BHATNAGAR, et al., Alleviation of acquired stuttering with human centremedian thalamic stimulation, Journal of Neurology, Neurosurgery, and Psychiatry, 1989, 52: 1182-1184
5	ORLANDO J. ANDY, et al., Thalamic-Induced Stuttering (Surgical Observation), Journal of Speech and Hearing Research, August 1991, 796-800, Volume 34, American Speech-Language-Hearing Association
6	A. MURIO, et al., Cessation of stuttering after bilateral thalamic infarction, www.neurology.org, 1999, 4 pages
7	MASAAKI NAGAFUCHI, et al., Speech Disorder due to damage of the Left Premotor Area, 1989, 328-333

Respectfully submitted,

BANNER & WITCOFF, LTD

Dated: May 9, 2002

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By: 

In the Application of Paul H. Stypulkowski

Serial No.: 10/001,751

Filing Date: October 31, 2001

Title: System and method of treating stuttering by neuromodulation

- ☐ Transmittal Letter
- ☐ Information Disclosure Statement
- ☐ Form PTO/SB/08A
- ☐ References (20)
- ☐ Return Receipt Postcard

Attorney Docket No.: 11738.00025

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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Sheet

2

of

2

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Application Number	10/001,751
Filing Date	10/31/2001
First Named Inventor	Paul H. Stypulkowski
Group Art Unit	3713
Examiner Name	unassigned
Attorney Docket Number	011738.00025

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	1	KAZUO, ABE, et al., Repetitive Speech Disorder Resulting from Infarcts in the Paramedian Thalami and Midbrain, Journal of Neurology, Neurosurgery and Psychiatry, 1993, 56: 1024-1026.	
	2	ORLANDO J. ANDY, et al., Stuttering Acquired from Subcortical Pathologies and its Alleviation from Thalamic Perturbation, Brain and Language, 1992, 42: 385-401, Academic Press, Inc.	
	3	SUBHASH C. BHATNAGAR, et al., The Effect of Thalamic Stimulation in Processing of Verbal Stimuli in Dichotic Listening Tasks: A Case Study, Brain and Language, 1989, 36: 236-251, Academic Press, Inc.	
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	6	A. MURIO, et al., Cessation of stuttering after bilateral thalamic infarction, www.neurology.org, 1999, 4 pages	
	7	MASAAKI NAGAFUCHI, et al., Speech Disorder due to damage of the Left Premotor Area, 1989, 328-333	

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